

REMARKS

Claims 1-18 were presented for examination and were rejected.

The applicants have amended claims 1, 12, and 14 to recite where the monitoring device and control device are connected.

The subject matter of claim 13 has been incorporated into claim 12. Accordingly, the applicants have canceled claim 13 without prejudice and respectfully reserve the right to re-present the canceled claim in this or another application.

Additionally, the applicants have amended claims 9, 10, 15, and 16 in order to correct a misleading term.

The applicants respectfully request reconsideration in light of the amendments and the following comments.

Claims Objection

Claim 15 was objected to. The applicants have amended claim 15 in order to replace the misleading term "third output connection" with the more neutral term "connection contact." The term "connection contact" is used in the specification. With regard to reference symbol 140 in the figure, the applicants' figure is correct as drawn.

The applicants respectfully submit that the objection has been overcome.

35 U.S.C. § 102 Rejection of Claims 1-5

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chang, U.S. Patent 6,577,513 (hereinafter "Chang"). The applicants respectfully submit that the amendments to the claims overcome the rejection.

Claim 1, as amended, recites:

<p>1. A device for supplying uninterruptible power, said device comprising:</p> <p>input connections (90, 91) for connection to a primary DC voltage supply device (230);</p> <p>connections (190, 191) for connecting a standby power source (60);</p> <p>first output connections (100, 101) for connecting a load (220);</p> <p>a device (20) for decoupling the input connections (90, 91) from the first output connections (100, 101) in the event of a fault in the primary DC voltage supply device (230);</p>

a first controllable switching device (40) for connecting the standby power source (60) to the first output connections (100, 101) in a controlled manner in the event of a fault in the primary DC voltage supply device; and

a control device (31) which is assigned to the first controllable switching device (40);

characterized in that

the first controllable switching device (40) has a first power transistor (41, 42) having a gate, a drain and a source terminal,

a monitoring device (30) is provided for monitoring the output current flowing through the first power transistor (41, 42) and *is directly electrically connected to the drain and source terminals of the first power transistor*, and

the control device (31) is directly electrically connected to the gate terminal of the first power transistor and is designed to pulse-width-modulate the first power transistor (41, 42) on the basis of the current being monitored in order to limit the current which can be provided by the standby power source (60).

(emphasis supplied)

Nowhere does Chang teach or suggest, alone or in combination with the other references, what amended claim 1 recites — namely that a monitoring device is directly electrically connected to the drain and source terminals of the first power transistor, and that the control device is directly electrically connected to the gate terminal of the first power transistor.

Support for the amendment to claim 1 can be found on page 9, line 24 to page 10, line 2 of the Substitute Specification, "Clean Version," submitted on December 22, 2009.

Referring to Chang, the Office cited a passage in column 3, lines 28-35, which passage describes circuit 197 for detecting the output current of circuit 19, and sending the resultant data to controller circuit 14. However, Chang never discloses where in relation to the gate, drain, and source terminals of a power transistor are the monitoring and control devices connected.

In contrast, amended claim 1 recites where the monitoring and control devices are connected in relation to the terminals of power transistor 42.

For this reason, the applicants respectfully submit that the rejection of claim 1 is overcome.

Because claims 2-5 depend on claim 1, the applicants respectfully submit that the rejection of these claims is also overcome.

35 U.S.C. § 103 Rejection of Claims 1-2 and 4

Claims 1, 2, and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nagai, U.S. Patent 6,057,609 (hereinafter "Nagai"). The applicants respectfully submit that the amendments to the claims overcome the rejection.

Referring to the discussion of the Chang rejection of claim 1, nowhere does Nagai teach or suggest, alone or in combination with the other references, what amended claim 1 recites — namely that a monitoring device is directly electrically connected to the drain and source terminals of the first power transistor, and that the control device is directly electrically connected to the gate terminal of the first power transistor.

Similarly to Chang, Nagai also never discloses where in relation to the gate, drain, and source terminals of a power transistor are the monitoring and control devices connected. For example, referring to Figure 5, item 42 in Nagai, which was cited by the Office, the field effect transistor 42 has no monitoring device directly electrically connected to the drain and source terminals.

For this reason, the applicants respectfully submit that the rejection of claim 1 is overcome.

Because claims 2 and 4 depend on claim 1, the applicants respectfully submit that the rejection of these claims is also overcome.

35 U.S.C. § 103 Rejection of Claim 1-2 and 14-18

Claims 1, 2, and 14-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Eng, U.S. Patent 4,745,299 (hereinafter "Eng"). The applicants respectfully submit that the amendments to the claims overcome the rejection.

Referring to the discussion of the Chang rejection of claim 1, nowhere does Eng teach or suggest, alone or in combination with the other references, what amended claim 1 recites — namely that a monitoring device is directly electrically connected to the drain and source terminals of the first power transistor, and that the control device is directly electrically connected to the gate terminal of the first power transistor.

Eng teaches (in col. 4, lines 52-54) is that "current transformer 456 is utilized to sense the peak discharge current flowing from the battery 451 to the transistor switch 453." However, this configuration disclosed in Eng is not the same as that recited in claim 1 of the instant application, in that claim 1 recites a monitoring device being directly electrically connected to the drain and source terminals of the first power transistor.

For this reason, the applicants respectfully submit that the rejection of claim 1 is overcome.

Because claim 2 depends on claim 1, the applicants respectfully submit that the rejection of claim 2 is also overcome.

Claim 14, as amended, recites:

14. A device for supplying uninterruptible power, said device comprising:
input connections (90, 91) for connection to a primary DC voltage supply device (230);
connections (190, 191) for connecting a standby power source (60);
first output connections (100, 101) for connecting a load (220);
a device (20) for decoupling the input connections (90, 91) from the output connections (100, 101) in the event of a fault in the primary DC voltage supply device (230);
a first controllable switching device (40) for connecting the standby power source (60) to the output connections (100, 101) in a controlled manner in the event of a fault in the primary DC voltage supply device (230), the first controllable switching device comprising a power transistor;
a control device (31) which is assigned to the first controllable switching device (40), the control device being directly electrically connected to the gate terminal of the power transistor; and
a supply output which is connected in parallel with the first output connections (100, 101) and whose current is limited by a current limiter (110) resulting in a current-limited supply output (130).
(emphasis supplied)

Nowhere does Eng teach or suggest, alone or in combination with one another, what amended claim 14 recites — namely that the control device is directly electrically connected to the gate terminal of the power transistor that is part of the first controllable switching device.

Support for the amendment to claim 14 can be found on page 9, line 24 to page 10, line 2 of the Substitute Specification, “Clean Version,” submitted on December 22, 2009.

Referring to Eng, the Office cited device 14 in Figure 1. However, device 14 is not directly electrically connected to PWM control device 30. Instead, base drive 34 is interposed between devices 14 and 30, as can be seen in Figure 1.

For this reason, the applicants respectfully submit that the rejection of claim 14 is overcome.

Because claims 15-18 depend on claim 14, the applicants respectfully submit that the rejection of claims 15-18 is also overcome.

35 U.S.C. § 103 Rejection of Claims 6-13

Claims 6-13 were rejected under 35 U.S.C. § 103 as being unpatentable over Eng in view of Zansky, U.S. Patent 7,034,413 (hereinafter "Zansky").

Because claims 6-11 depend on claim 1 and because Zansky fails to cure the deficiencies of Chang, Nagai, or Eng with respect to the rejections of claim 1, the applicants respectfully submit that the rejection of claims 6-11 is overcome.

Claim 12, as amended, recites:

12. A device for supplying uninterruptible power, said device comprising:

- input connections (90, 91) for connection to a primary DC voltage supply device (230);
- connections (190, 191) for connecting a standby power source (60);
- output connections (100, 101) for connecting a load (220);
- a device (20) for decoupling the input connections (90, 91) from the output connections (100, 101) in the event of a fault in the primary DC voltage supply device (230);
- a first controllable switching device (40) for connecting the standby power source (60) to the output connections (100, 101) in a controlled manner in the event of a fault in the primary DC voltage supply device (230); and
- a control device (31) which is assigned to a second controllable switching device (22);

characterized in that

- a parallel circuit comprising a diode (21) and the second controllable switching device (22) forms the device (20) for decoupling,

the second controllable switching device is a power transistor having a gate, a drain, and a source terminal,

a monitoring device (30) is provided for monitoring an input voltage and *is directly electrically connected to the drain and source terminals of the power transistor*, and

the control device (31) is directly electrically connected to the gate terminal of the power transistor and is designed to disconnect the second controllable switching device (22) when the input voltage being monitored signals a fault in the primary DC voltage supply device (230).

(emphasis supplied)

Nowhere does Eng or Zansky teach or suggest, alone or in combination with the other references, what claim 12 recites — namely that a monitoring device is directly electrically connected to the drain and source terminals of the first power transistor, and that the control device is directly electrically connected to the gate terminal of the first power transistor.

Support for the amendment to claim 12 can be found on page 8, lines 10-19 of the Substitute Specification, "Clean Version," submitted on December 22, 2009, as well as in previous claim 13.

Referring to Chang, the Office cited a passage in column 3, lines 28-35, which passage describes circuit 197 for detecting the output current of circuit 19, and sending the resultant data to controller circuit 14. However, Chang never discloses where in relation to the gate, drain, and source terminals of a power transistor are the monitoring and control devices connected.

In contrast, amended claim 12 recites where the monitoring and control devices are connected in relation to the terminals of power transistor 22.

For this reason, the applicants respectfully submit that the rejection of claim 12 is overcome.

Note that the applicants have canceled claim 13.

Request for Reconsideration Pursuant to 37 C.F.R. 1.111

Having responded to each and every ground for objection and rejection in the last Office action, applicants respectfully request reconsideration of the instant application pursuant to 37 CFR 1.111 and request that the Examiner allow all of the pending claims and pass the application to issue.

If there are remaining issues, the applicants respectfully request that Examiner telephone the applicants' agent so that those issues can be resolved as quickly as possible.

Respectfully,
Hartmut Henkel et al.

By **/Kenneth Ottesen/**
Kenneth Ottesen
Agent for Applicants
Reg. No. 54353
732-578-0103 x222

DeMont & Breyer, L.L.C.
Suite 250
100 Commons Way
Holmdel, NJ 07733
United States of America